



ATTORNEY DOCKET NO.:04/514-5143

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masakazu OGASAWARA, et al.

Application No.: 09/944,098

Filed: September 4, 2001

Group Art Unit: 2651

Examiner: Unassigned

For: OPTICAL PICKUP DEVICE AND FOCUS ERROR DETECTING METHOD THEREFOR

Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed October 5, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

Applicant believes that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

An assignment of the invention to Pioneer Corporation and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation

				Fee Code
			Basic Fee	\$740.00
			at a Rate of (Lg./Sm.Entity)	101/201
Total Claims	20 - 20 =		\$18/\$9	\$ 103/203
Independent Claims	2 - 3 =		\$84/\$42	\$ 101/202
Multiple dependent claim(s), if any			\$280/\$140	\$ 104/204
			SUB-TOTAL =	\$740.00
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00
				105/205
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))			\$110/\$55 (1 Month) \$400/\$200 (2 Months) \$920/\$460 (3 Months) \$1440/\$720 (4 Months) \$1960/\$980 (5 Months)	115/215 116/216 117/217 118/218 128/228
			SUB-TOTAL =	\$870.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$ 139
Assignment Recordation Fee			\$ 40.00	\$40.00
			TOTAL FILING FEE =	\$910.00

8. Fee Payment

Enclosed is a check in the amount of \$910.00 representing the total fee due.

The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

Preliminary Amendment

Submission of Formal Drawings with 26 sheets of drawings

Claim for Priority

Certified copy(ies) of priority document(s): 2000-272090 and 2000-272091

Information Disclosure Statement

Form PTO-1449, 1 reference as listed

Declaration of Biological Deposit

Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Other:

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


John G. Smith, Reg. No. 33,818

Date: December 4, 2001

CUSTOMER NO. 09629

MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, N.W.
Washington, D.C. 20036
Telephone: (202) 467-7000
Facsimile: (202) 467-7176



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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/944,098	09/04/2001	Masakazu Ogasawara	041514-5143

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 20036-5869

CONFIRMATION NO. 1762
FORMALITIES LETTER



OC000000006857553

Date Mailed: 10/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

*A copy of this notice **MUST** be returned with the reply.*

Thank

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/05/2001 SMINASS1 00000077 09944098

01 FC:101
02 FC:105

740.00 OP
130.00 OP